



TOWN OF WEARE
PLANNING BOARD
ZONING BOARD OF ADJUSTMENT
15 Flanders Memorial Road
P.O. Box 190
Weare, NH 03281
Phone: (603) 529-2250
Fax: (603) 529-4554

Naomi L. Bolton
Land Use Coordinator

Office Hours:
Monday
thru
Friday
8 AM – 4:30 PM

**PLANNING BOARD
AND
CONSERVATION COMMISSION
MINUTES
NOVEMBER 24, 2008
(Approved as written 12/11/08)**

PRESENT: Paul Morin, Chairman; Craig Francisco, Vice Chairman; George Malette, Secretary; Frank Bolton; Naomi Bolton, Land Use Coordinator

GUESTS: Andy Fulton, Chairman WCC; Steve Najjar, WCC; Pat Myers, WCC; Attorney Jed Callen; Ian McSweeney; Art Siciliano

I. CALL TO ORDER:

Chairman Paul Morin called the meeting to order at 7:08 PM at the Weare Town Office Building.

II. WORK SESSION:

DISCUSS CONSERVATION EASEMENTS AND WARRANTY DEEDS:

Chairman Morin discussed the reason for this joint meeting which has to do with some unsigned conservation easements and warranty deeds that were part of approved cluster developments. Chairman Morin gave some history with the subcommittee formation that was to change zoning regulations to encourage cluster developments.

Attorney Jed Callen was present at the request of the Conservation Commission to give an informal presentation about conservation easements and deeds. After giving those present some information about his background he gave a brief presentation and fielded questions from members present.

After Attorney Callen left the boards began to discuss the conservation easements and warranty deeds that are still to be signed and recorded. There was some discussion regarding an effort of improving communication. There was also discussion about requiring applicants to begin the easement/deed process early on in the process. There was a favorable suggestion to have an escrow account established by an applicant, then have the WCC's attorney draft an easement/deed and then hand off the draft to the applicant and they can then have their attorney review the draft and work on tweaking it from there. By doing this it would start out with a document the WCC would be amenable too without having to re-draft several times. There was also discussion about the Town just simply taking

ownership of the open space lot with something as basic as no further subdivision will be allowed on this open space parcel. The other more common approach some Towns take is to have the open space owned in part by the owners of the subdivision and allowing the WCC to have an easement.

There were two developments that the WCC would like to have more input on and that is the High Rock Development and the Beverly Townes plans. Chairman Fulton stated that the High Rock Development Restoration Plan was supposed to come back to the WCC for approval prior to going to the State of NH for approval. Chairman Morin pointed out that DES has already given the approval for the restoration plan and before the plan gets signed we wanted to make sure the deed was satisfactory. The one that was a real issue for the WCC was the Beverly Townes plan and that was because there is a conservation easement on the open space and there is also a deed restriction on the back parts of the 4 new lots. They felt this was not a good plan. Chairman Morin stated that the WCC Chairman should contact Mr. Dahlberg and talk to him about it. Chairman Morin stated that he would call Mr. Dahlberg to let him know that he will be receiving a phone call from the WCC regarding the easement.

III. ADJOURNMENT:

As there was no further business to come before the Planning Board, the board adjourned at 9:30 PM and the Conservation Commission continued with their regular meeting.

Respectfully submitted,

Naomi L. Bolton
Land Use Coordinator